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ABSTRACT

After questionable behavior was exhibited by photojournalists at the Bruno Richard Hauptmann trial in 1935, many states adopted a recommendation of the American Bar Association (Canon 35) and totally banned film and electronic coverage of courtroom proceedings. The ban of media became almost complete in this country after the Supreme Court overturned the guilty verdict of Billie Sol Estes in Texas in 1965 because of television coverage of this trial. However, as a result of intensive media lobbying, states such as Washington, Alabama, Florida, Georgia, and Wisconsin now have some type of policy permitting media access to the courtroom. The guidelines released by the Wisconsin Supreme Court in March 1978 to govern a one-year experimental period empowered the media in each district to designate a media coordinator to work with the judges, established a committee to monitor and assess the experiment, rigidly restricted the amount of video equipment allowed in the courtroom, and authorized the presiding judge to decide the rules for media behavior in the courtroom. A possible change in the earlier decision of the American Bar Association is indicated by the cautious testing of media coverage in other states. (MAI)

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CAMERAS IN THE COURTROOM:

FROM HAUPTMANN TO WISCONSIN

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Cameras in the Courtroom:

From Hauptmann to Wisconsin

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Throughout 1977 and 1978 a number of states have been relaxing their restrictions and prohibitions on the use of cameras for journalistic coverage of courtroom trials. The movement has been the result of decades of lobbying primarily by journalistic and media organizations which have argued that the restrictions violated the First Amendment freedoms of the electronic media and of still photographers. The issue, however, involves an apparent constitutional paradox. This has shown up when judges and attorneys have argued that photo coverage of trials would impinge on the Sixth Amendment freedoms of defendants, the sixth being the amendment guaranteeing a fair trial.

The controversy has been at times heated, at times tepid. But it has been fought, in one way or another, for some 43 years, perhaps longer. In any case, media, judicial, and legal interest in the question of photographic coverage of courtrooms burst to the surface in the wake of a trial in the mid-1930s. It was a trial that held massive public attention at the time.

Hauptmann

Little did those photographers assigned to cover the Bruno Richard Hauptmann trial in 1935 realize the central role they would play in the

history of photographic coverage of courtrooms in the United States.

To them, they were just doing their jobs. Granted, the trial, in a small New Jersey courtroom, of the man accused of the kidnap-murder of the Lindbergh child, was a court case of national interest. But the photo coverage permitted by the judge had quite normal limitations: pooling was required, with no more than four still photographers in the courtroom, and no more than one newsreel photographer.

However, once entrusted with access to the courtroom, the photographers engaged in somewhat questionable practices which in many ways have saddled photojournalists with controversial reputations for years. The pool newsreel camera was not supposed to operate during the trial itself, although it could remain in position in the courtroom while the court was in session. Apparently quite early in the trial it became an open secret among the photographers there that the newsreel pool photographers, working for March of Time (Time-Life's newsreel division) had installed a remote control device on their camera permitting it to film key parts of the trial it was not supposed to record.

And the behavior of all photographers on the final day of the trial was described by a prominent editor in the following way: "Photographers clambered on counsels' tables, and shoved their flashbulbs into the faces of witnesses," the judge "having lost control of his courtroom and the press photographers having lost control of the'r senses."[1]

For most of the 43 years since the Hauptmann trial news photographers were systematically excluded from courtrooms in state after state. In their own ways the states enacted the basic recommendation of the American Bar Association which, in 1937, passed Canon 35 of its Code of Judicial Conduct recommending a total ban on film and electronic coverage of courtrooms.

The Canon originally read in part, "The taking of photographs in the courtroom during sessions of the court or recesses between sessions, and the broadcasting of court proceedings, are calculated to detract from the essential dignity of the proceedings, degrade the court, and create misconceptions with respect thereto in the mind of the public, and should not be permitted."[2]

In 1952 the ABA amended Canon 35 to specifically include a prohibition of television coverage in courtrooms,[3] and added the clause, "distract the witness in giving his testimony," as an additional danger of permitting photographers in courtrooms. Then in 1963 the ABA, in liberalizing the canon somewhat, eliminated the words "are calculated to" and "degrade the court."[4]

A canon of the ABA has no legal standing in and of itself, but ABA members and others worked to enact the canon into state laws or court regulations throughout the country. They succeeded in implementing some form of prohibition of broadcasting, televising, or photographing a trial in virtually every state.[5]

Estes

The one state that has permitted some "judicial discretion" in the use of cameras in courtrooms over the years has been Texas.[6] And further impetus was added to the overall courtroom camera issue on June 7, 1965 when the United States Supreme Court overturned the 1962 Texas swindling conviction of Billie Sol Estes on the grounds that Estes had failed to receive a fair trial because his Texas trial had been televised.[7] The various Supreme Court justices' opinions in the 5 to 4 decision represented many of the arguments which have been raised since the ABA's original passage of its Canon 35.

The court's majority emphasized both the physical distraction of cameras and photographers in the courtroom and the psychological distraction of

participants in a trial knowing they are being televised. In the majority opinion, Justice Tom Clark wrote: "When the advances in these arts [photography] permit reporting by printing press or by television without their present hazard to a fair trial we will have another case." And: "The impact upon a witness of the knowledge that he is being viewed by a vast audience is simply incalculable. Some may be demoralized and frightened, some cocky and given to overstatement; memories may falter, as with anyone speaking publicly, and accuracy of statement may be severely undermined...."[8]

Justice John Harlan, in a concurring opinion, wrote: "The day may come when television will have become so commonplace an affair in the daily life of the average person as to dissipate all reasonable likelihood that its use in courtrooms may disparage the judicial process." And Chief Justice Earl Warren, also concurring: "The evil of televised trials...lies not in the noise and appearance of the cameras, but in the trial participants' awareness that they are being televised...."[9]

The dissenting justices generally agreed with the traditional positions held by journalists. Justice Potter Stewart, in the dissenting opinion, wrote: "I would be wary of imposing any per se rule which, in the light of future technology, might serve to stifle or abridge true First Amendment rights.... The suggestion that there are limits upon the public's right to know what goes on in the courts causes me deep concern. The idea of imposing upon any medium of communication the burden of justifying its presence is contrary to where I had always thought the presumption must lie in the area of First Amendment freedoms."[10]

And Justice Byron White, arguing for more data on the issue, wrote: "In my

view, the currently available materials assessing the effect of cameras in the courtroom are too sparse and fragmentary to constitute the basis for a constitutional judgment barring any and all forms of television."[11]

Like the Hauptmann case 30 years earlier, it was obvious that in the Estes trial, the media had been given an opportunity to perform responsibly in court, but had failed to take into account the unique problems of courtroom coverage. There was strong evidence in the Estes trial coverage that "judicial serenity and calm had been dispensed with by a horde of cameramen. The court said that at least 12 cameramen were involved in covering a preliminary hearing. Cables and wires were snaked across the courtroom floor, three microphones were on the judge's bench, and others were beamed at the jury box and counsel table. Two TV cameras were set up inside the bar and four just outside the gates. There was a television van, big as an intercontinental bus, parked outside the courthouse and the second floor courtroom was a forest of equipment."[12]

Now armed with the Estes decision, in addition to the ABA's Canon 35, new efforts were made in the few remaining states to enact a ban on camera coverage of courtrooms. One of the last hold-outs, Wisconsin, fell into line in 1968 when the state's Supreme Court added a provision to its Code of Judicial Ethics for the state prohibiting cameras from the state's courtrooms.

For the most part the issue has pitted the media on one side of the question and the judiciary and the bar on the other side. The ABA position was obvious in the wording of Canon 35, and a 1970 survey of trial judges from throughout the country reported that 92% of the 483 judges polled believed television cameras should <u>not</u> be permitted in courtrooms during trials.[13]

But media lobbying efforts continued. Using the most cogent arguments from the minority report in the Supreme Court's Estes decision, media organizations

and journalistic organizations in a number of states continued to push for relaxation of the prohibitions, for temporary "test" periods of use, or at least for establishment of committees to study the issue. These groups pointed to technological advances in photo equipment since the Estes decision, offering assurances that the type of physical distraction which occurred in the Estes decision was unlikely to happen again.

They also regularly referred to the lack of specific data indicating any types of psychological distraction, etc. brought on in witnesses or other participants by the presence of cameras in courtrooms. In fact, one of the few, if not the only, study of this type was published quite recently. The main finding, using a simulated courtroom atmosphere, was that witnesses, when questioned in front of a conspicuous television camera, provided more correct and relevant information than they did when the camera was hidden or when there was no camera present at all.[14]

Despite a generally discouraging climate for trial coverage by television, a few cases in the early 1970s gave at least some visibility to the potential of television to meaningfully and unobtrusively cover courtrooms. In 1970 National Educational Television carried extensive excerpts of a trial filmed in Denver. At the time Colorado was the one state which had already rolled back its prohibition of cameras in its courtrooms. The program, entitled, "Trial: City and County of Denver vs. Lauren R. Watson," was serialized by the network and shown nightly for a week. The program received generally positive reviews from judges, lawyers, and media people.

In 1971 a Wichita, Kansas judge permitted KAKE-TV of Wichita to film a juvenile court hearing. The station used the film in its newscasts and the judge, in supporting his decision to allow the television coverage, said, "We

must be smart enough to be able to establish a system whereby the public can be informed and judicial decorum maintained."[15]

Colorado

The Kansas case was an exception to that state's policy, but the Denver trial was conducted fully within Colorado guidelines, which had been relaxed by the state's Supreme Court on February 27, 1956 to permit photographic coverage of certain trials.[16]

For 20 years Colorado stood virtually alone with a statewide policy permitting cameras in courtrooms. The Colorado guidelines require media seeking to use photographers in courtrooms to obtain, in advance, permission from all parties to the trial. Once that permission is obtained, one television or newspaper photographer is permitted in the courtroom at any one time. Thus pooling is required. Photographers also must stop shooting whenever any participant objects, but as a practical matter this doesn't happen because participants have given their prior approval to the photographic coverage. In Colorado no additional lights or flashes are permitted, but photographers and equipment are permitted to move around in the back of the courtroom, although they cannot come further forward than the front row of spectator seats.[17]

Washington

The second state changing its policy to permit photographic coverage of courtrooms, Washington, did not finally approve that policy until 20 years after Colorado made its change. Although Washington's new policy took effect on Sept. 20, 1977, it took active efforts by a number of people for some 13 years to bring about that change. In 1964 a Bench-Bar-Press committee began hearings

addressed to eliminating Canon 35 in Washington. At the request of this BBP committee, the Washington Supreme Court, on November 28, 1973, authorized abandoning Canon 35 to permit "experimental test recording by television and radio of a trial or trials."[18]

As authorized by the court, one TV camera and one still camera were permitted to photograph a homicide case in King County Superior Court during December, 1974. The coverage was not aired or published, but edited into a one-hour presentation to show state bar and bench associations what types of coverage were possible. A subcommittee of the Bench-Bar-Press Committee then prepared a report on the experiment, including written comments by the presiding judge, counsel, and observers. All comments were favorable. Then on September 20, 1977 the state Supreme Court approved cameras in Washington courtrooms subject only to approval by individual judges.[19]

Washington permits no more than one still photographer and no more than one television camera in a courtroom at one time, unless the judge permits more to be present. The Washington guidelines also direct that no television camera should give any indication of whether or not it is on, such as the presence of red tally lights. No additional courtroom lighting is permitted and all equipment must remain "unobtrusive." And there is even a dress code: "Broadcast representatives' dress should not set them apart unduly from other trial spectators."[20]

Alabama

In Alabama, on December 15, 1975, the Supreme Court adopted a set of "Canons of Judicial Ethics" for all state judges, including for the first time overall approval of courtroom photography, subject only to authorization

by the presiding judge. In so doing the court permitted both electronic and still photo coverage in both trial and appellate courts in Alabama.

The new Canons, in a "Commentary" section, say, "It is now universally recognized that the dignity of a church service is not affected in any degree by the photographing or broadcasting by television or radio...when sophisticated and advanced equipment and technology is used."[21] Thus, using an interesting bit of logic, the court ruled that procedures acceptable for churches must also be acceptable for courtrooms.

Some of the distinguishing sections of the Alabama guidelines include a requirement that the state's Supreme Court approve, in advance, the floor plan of each courtroom in which photographers are to be present, with that floor plan indicating where photographers will be permitted in the courtroom. Alabama permits no more than four still photographers and no more than two television cameras in a courtroom at a time; the still photographers may sit anywhere in the courtroom designated for the public, but the television cameras are restricted to the rear corners of the courtroom. And the Alabama rules specify that all trial participants, including witnesses, attorneys, and judges, may request cessation of the coverage, in which case the judge is expected to require the coverage to stop.[22]

Florida

The state that has probably received the most publicity surrounding its courtroom camera situation has been Florida. That state is in the concluding stages of a one-year trial period of courtroom photography, a test that began on July 5, 1977. The policy change in Florida was pushed primarily by Post-Newsweek Stations of Florida, with support from the Florida Association of Broadcasters

and the Society of Professional Journalists.[23]

After a variety of proposals were considered by the Florida Supreme Court, primarily one which would have authorized experimental coverage of one civil and one criminal trial, the court decided to implement the one-year experimental period. In establishing the experiment, the court indicated it was simply extending to the electronic media and to still photographers the same rules of conduct applied to the public or to other press members attending a trial.

The Florida guidelines permit not more than one television camera (either film or electronic) and not more than one still photographer (using not more than two cameras) in any trial court. As to pooling, the Florida guidelines say all such arrangements "required by these limitations on equipment and personnel shall be the sole responsibility of the media without calling upon the presiding judge to mediate any dispute.... In the absence of advance media agreement on disputed equipment or personnel issues, the presiding judge shall exclude all contesting media personnel from a proceeding."[24]

Florida permits only cameras which produce no distracting sound or light, and prohibits any artificial lighting in the courtroom other than that which is normally present. The Chief Judge of each Florida judicial district is empowered to approve locations within courtrooms for television and still photography equipment. Photographers are not permitted to move about in the courtroom, nor to enter or leave the courtroom once a judicial session has begun. In addition, neither photo nor audio equipment can be brought in or removed from a courtroom except before or after each day's court session. Television film magazines cannot be changed, except during a recess (thus limiting TV film photographers in most cases to the eleven minutes of film available on a 400-foot

magazine), and still camera film or lenses cannot be changed except during recesses.[25]

Georgia

In Georgia, the Chief Justice of the Supreme Court asked, in March of 1977, a committee of media personnel and lawyers to come up with a plan to implement, among other things, photographic coverage of Georgia courts. The committee set up subcommittees dealing with such areas as "camera locations," lighting and microphones," "credentials, procedures, and forms," among others. The committee presented its report to the Georgia Supreme Court in mid-May, 1977, and the Court, shortly thereafter, adopted the report, almost without change.[26]

The Georgia Code of Judicial Conduct was changed to read, in part: "The Supreme Court may authorize the broadcasting, televising, recording, filming, and taking of photographs in its courtroom, or the courtroom of any other Georgia court, during any judicial hearing, provided a plan has been approved by the Supreme Court in advance...and provided the judge or judges presiding at the hearing permit the...activities."[27]

The specifics of the Georgia guidelines are similar to those of other states in many ways. They call for a specified area to be assigned for photographers and one for audio personnel. The guidelines permit a still photographer from the Associated Press and one from United Press International to have access to courtrooms at all times, with two additional photographers allowed on a rotating basis from a pool. No more than three television technicians are permitted in a courtroom at a given time.

One unique component of the Georgia rules is the modified court control of the pool. The rules specify that each photographer must sign a "traditions

of coverage" form, which stipulates restrictions, plus an agreement that, once given access to the courtroom the photographer will not remain for more than ten minutes before returning to the waiting pool. Photographers are rotated through the pool on a first-come-first-served basis.[28]

Wisconsin

Wisconsin's one-year experiment with courtroom photography began on April 1, 1978. The decision by the state's Supreme Court to permit the test came after frequent efforts, led mainly by Milwaukee broadcasters, to have the Wisconsin courts opened up for photo reporting, as they had been prior to the 1968 ban.

In September of 1976 Carl Zimmerman, Director of Communications at WITI-TV in Milwaukee, asked Milwaukee Municipal Judge Ted Wedemeyer to permit the videotaping of a trial in Wedemeyer's courtroom "in a most unobtrusive manner to give both of us a chance to see how this works."[29] Wedemeyer then sought permission from the Wisconsin Supreme Court, and was told the request could not be granted due to the state's Canons of Judicial Ethics. Chief Justice Bruce Beilfuss, however, hinted that "several members of the court feel that we should re-examine this Canon prohibiting television in view of the improved technical performance of television cameras."[30]

At the same time Ed Hinshaw, Editorial Director of WTMJ-TV in Milwaukee, and chairman of the Freedom of Information Committee of the Milwaukee Professional Chapter of the Society of Professional Journalists, sought from Beilfuss specific suggestions as to how to procede with changing the state's Canons. Beilfuss then submitted the collective correspondence from Hinshaw, Zimmerman, and Wedemeyer to the Supreme Court. The media organizations also picked up an ally from within the legal profession, when the Milwaukee Junior Bar Association offered to assist in developing an experimental project.

In November, 1976, the Supreme Court agreed to permit a limited experiment of televising a trial in Judge Wedemeyer's Milwaukee courtroom. The Supreme Court said all rules or procedures must be submitted to it for advance approval. The parties worked out a set of guidelines permitting one film camera, one electronic camera, and one still photographer to be present in Wedemeyer's court for a trial on May 18, 1977. It was agreed in advance that the coverage could not be aired, but that the two stations with cameras in the courtroom (WITI-TV and WISN-TV) would prepare versions of the story "as if" it would have been aired that evening.

On December 12, 1977 the Supreme Court held a hearing at which time the court viewed the tapes and films of the court coverage as well as an excerpt of unedited tape showing the courtroom set-up for the photographic coverage. A number of persons involved in the test case testified, each attesting to the success of the experiment, and advising the court to establish a more extended experimental period.

Then on December 23, 1977 the Supreme Court announced it would permit a one-year test period beginning April 1, 1978, during which time cameras would be permitted in Wisconsin courtrooms. On February 20, 1978 the Supreme Court held still another hearing on the topic, this one addressed to obtaining recommendations for the specific guidelines to be followed during the one year experiment. In advance of that hearing, the court had indicated it would be willing to use the Florida guidelines in Wisconsin also, and invited testimony specifically addressed to any modifications appropriate to improve upon the Florida policies.

Two major presentations were made at that hearing: one by the Milwaukee

Professional Chapter of the Society of Professional Journalists, recommending specific guidelines and changes in the Florida policies; the other by the Milwaukee County District Attorney, arguing that all trial participants be empowered to, in effect, veto camera coverage of themselves at any time.

The SPJ suggestions had grown out of a seminar held in February at the University of Florida to evaluate the Florida experiment. The SPJ proposal recommended Wisconsin permit up to three television and three still photographers in the courtrooms, more than were permitted in Florida. The chapter argued that in Wisconsin, where most television stations are not yet fully into Electronic News Gathering, required pooling of 16mm sound newsfilm would be awkward, costly, and so time consuming as to eliminate same-day trial coverage in most markets. The SPJ proposals included the usual restrictions on camera placement, movement of personnel, additional lighting, etc.

But perhaps the most original component of the proposal was a suggested requirement to establish the position of "Media Coordinator" in each judicial district. This would be a person selected by the media to arbitrate requests for space in courtrooms, to decide who would get access, and to coordinate with the officers of the individual courts all logistical details for photo coverage. The proposal recommended that the position be filled by local journalism organizations or press clubs when such groups exist. It specified that all contact between the media and the court should go through the media coordinator. The need for such a position had become obvious in Florida, and was specifically suggested by Florida participants at the University of Florida seminar.

A final recommendation by SPJ was that the Supreme Court create a monitoring and assessment committee to collect data throughout the experiment and to report on its effects. The committee was to be made up of media representatives, judges,

attorneys, and representatives of the public. Whereas Florida had recommended that at the end of its year experiment, all media participants, judges, and other parties furnish a written report of their experience to the Supreme Court, the Wisconsin suggestion took this idea a step further and required a formal committee charged with that systematic assessment over the entire year.

Milwaukee County District Attorney Michael McCann, on the other hand, argued at the public hearing that with photo coverage of courtrooms he would have a difficult time getting witnesses to agree to testify in court, and thus would have a more difficult, if not impossible, time obtaining convictions. McCann said the one-year experiment should contain a provision in its guidelines permitting all trial participants to ask that cameras be turned off while they were participating in the trial.

On March 16, 1978 the Wisconsin Supreme Court released its formal guidelines to govern the one-year experimental period. While they bear similarity, in structure, to the Florida guidelines, they contain a number of significant differences. For one, the Wisconsin guidelines accepted the SPJ recommendation for a media coordinator, and empowered the media in each administrative district of the state to designate a media coordinator to work with the chief judge of the district and with the individual presiding judges to implement the guidelines. The court aldo formalized the SPJ request to establish a committee to monitor and assess the experiment, and to report its findings by March 1, 1979. This committee was to be made up of three news media representatives, three trial judges, two members of the state bar, and three public members.

Whereas the Florida guidelines permitted but one television or film camera,

Wisconsin permits one portable camera (either 16mm or ENG), plus one additional camera, but only if there is a request from a second station which does not have equipment compatible with that being used by the first station. Thus if the first station is using an ENG camera and a second station requests access, but only has 16mm capabilities, it could also be granted access. The guidelines permit a third camera in courtrooms only if that camera is there to cover the proceeding live or in its entirity. There is an irony attached to this provision, however, in that the guidelines also carry a prohibition against changing film magazines while the court is in session. Thus it would be impossible for a 16mm camera to cover most trials in their entirety if they could not change film magazines while the trial was going on.

The Wisconsin guidelines also permit two still photographers, each with not more than two cameras and no more than two lenses for each camera. Also, still photographers are prohibited from changing film or lenses while the court is in session. One audio system is permitted, and if the courtroom has one installed, the media are to use the court's own system, making arrangements to tap into it for audio pickups. There is no limit to the number of audio pickups other than the technical limitations of the equipment. It is assumed that radio reporters with their recorders tapped into the audio system, would generally be located outside the courtroom itself.

The Wisconsin Supreme Court also requires the presiding judge to designate the locations in the courtroom for the camera equipment and operators. Those operators may not move around the courtroom during the trial, although, unlike in Florida, they may leave and enter. The equipment, however, must not be moved or changed during the proceeding.

Finally, the Wisconsin guidelines grant a significant portion of the request made at the hearing by Milwaukee County DA McCann. They specify, "A presiding judge may for cause prohibit the photographing of a participant with a film, videotape, or still camera on the judge's own motion or the request of a participant in the court proceeding." Thus it is left to the individual trial judge to determine what "for cause" is in a particular case. The inclusion of this guideline brought swift reaction from the state's broadcast news directors. The Chairman of the Broadcast News Council of the Wisconsin Broadcasters' Association, said, "The court opened the door for news cameras and then virtually shut it by allowing the presiding judge or any participant in a trial the freedom to prohibit visual coverage." Observers are watching Wisconsin closely to see how the state's judges interpret the "for cause" requirement in the Supreme Court's guidelines.

The Future

With various states falling into line, in one way or another, testing the use of cameras in their courtrooms, even the American Bar Association, the organization which started the legal controversy more than 40 years ago by passing Canon 35, appears to have had a change of heart. At the 1978 midwinter meeting of the ABA in New Orleans, the ABA Committee on Fair Trial and Free Press, headed by Judge Alfred T. Goodwin of the U.S. Court of Appeals for the Ninth Circuit, in Portland, Oregon, proposed an end to the ban on broadcast coverage of criminal trials.[31] The proposal is expected to be voted on at the ABA national convention in August, 1978. Also at the February ABA meeting, U.S. Attorney Griffin Bell and Deputy Attorney General Benjamin Civiletti endorsed the idea of radio and television coverage of federal trial courts and appellate courts.[32]

And as 1978 moves toward summer, at least three additional states are moving toward courtroom photo coverage. The Montana Supreme Court has approved radio and television coverage in state courts for a two-year period, also beginning on April 1, 1978. In Louisiana, a one-year trial period has been authorized for one court district in the state. And in New Jersey a committee has recommended to the state supreme court that a test be conducted in one courtroom in the state.[33]

So photographic coverage of courtrooms in the United States is being given another chance. It's a chance it had at the Hauptmann trial. And a chance it had at the Estes trial. The electronic media and news photographers are now once again in a position of trying to prove themselves capable of covering courtroom trials with the low-key, unobtrusive approach the courts have come to expect. As Howard Kelly, the news director at WTLV, Jacksonville, Florida, says, regarding the Florida experiment, "There's no doubt that the media are the ones on trial. And, though the jury hasn't returned its verdict, courthouse wags will tell you that for the most part broadcasters have been exonerated of many of the preconceived notions as to how they would conduct themselves."[34]

Miami's Chief Judge, Edward Cowart, says his circuit will report to the Florida Supreme Court that there is a benefit to having cameras in the state's courtrooms. Cowart says, "I'm converted. I didn't think you [photographers] could conduct it [camera coverage] with the absolute responsibility with which you have done it."[35]

The jury is out not only in Florida, but in the many states now opening the courtroom doors a crack or two to permit photographic coverage. The next year will take us a long way to learning how broad the trend will become.

Notes

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7 American Newspaper Publishers Association, Free Press and Fair Trial (New York: ANPA, 1967), pp. 123-132.

8 Radio, Television, and the Administration of Justice, op. cit., p. 201.

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16 APME Report, op. cit., p. 2.

17 APME Report, op. cit., p. 5.

18 Ibid., p. 3.

19 Ibid.

20 APME Report, op. cit., p. 7.

21 Supreme Court of Alabama, "Canons of Judicial Ethics," Sect. 7, Commentary, pp. 10-11.

22 APME Report, op. cit., p. 6.

23 Ibid., p. 3

24 Supreme Court of Florida, "Standards of Conduct and Technology to Govern Electronic media Coverage of Proceedings in the Courts of Florida," p. 3.

25 Supreme Court of Florida, op. cit., pp. 1-5.

26 APME Report, op. cit., p. 4.

27 APME Report, op. cit., p. 9.

28 Ibid.

29 Private letter, Carl Zimmerman to Judge Ted Wedemeyer, Sept. 20, 1976.

30 Private letter, Supreme Court Chief Justice Bruce Beilfuss to Judge Ted Wedemeyer, November 23, 1976.

31 "A Sudden Surge of Pressure to Let Cameras in the Courts," Broadcasting, Feb. 20, 1978, pp. 33-34.

32 Ibid.

33 L.M. Furber, "Cameras in Courts Gaining Acceptance," RTNDA Communicator, March, 1978, p. 1 & 6.

34 M. Kelley, "Florida Cameras on Trial," NBC Newsletter, Feb., 1978, p. 8.

35 Ibid.